

REMARKS

Applicant hereby amends claims 1, 22 and 32-34. Claims 2-6, 8-21, 23, 26-28 and 35 are cancelled without prejudice and reserving the right to introduce the subject matter of these claims in further prosecution. New claims 36-45 are added.

The 35 U.S.C. 103 rejection of claims 1, 7, 22, 25 and 32-35.

Claims 1, 7, 22, 25 and 32-35 stand rejected under 35 U.S.C. §103 as unpatentable over Campbell et al. (U.S. Patent No. 6,047,259) in view of Iliff (U.S. Patent No. 6,468,210).

Campbell is directed to a computer-implemented method and system for tacking workflow through a medical facility (Campbell, column 1, lines 50-51). Claim 1 has been amended to recite a method comprising the steps of conducting a preliminary physical examination, making a preliminary diagnosis that the patient has a particular medical disorder, obtaining a paper template having only one sheet of paper, the one sheet of paper having information listing signs or symptoms that might be exhibited by one afflicted by the particular medical disorder and information listing other medical disorders that might be confused with the particular medical disorder, consulting the paper template for information prompting the user to further examine the patient for the signs or symptoms listed on the paper template, and conducting a further examination of the patient to determine whether the patient is exhibiting the signs or symptoms listed on the paper template and entering hand written information identifying those of the one or more predefined signs or symptoms exhibited by the patient onto the paper template. Campbell does not teach or suggest the subject matter as a whole (e.g., use of a paper template having only one sheet of paper) and does not teach or suggest the claimed steps, e.g., obtaining a paper template having only one sheet of paper having information identifying the particular medical disorder and information identifying other medical disorders that might be confused with the particular medical disorder. Campbell discloses only computer based steps. As discussed at the beginning of applicant's disclosure,

Most books or other types of collections of medical information available today contain too much information or are too bulky, time-consuming, or awkward to be useful at a patient's bedside or under other conditions of limited time or space. Available pocket-sized references cannot be customized for an individual patient without compromising their future use, nor can they be integrated into a patient's medical chart or readily used to facilitate communications between health care professionals. A concise

collection of the most pertinent medical knowledge required for immediate decision making, which can be customized for an individual patient and provide work-up and treatment guidance, is a needed tool for health care practitioners. New practitioners such as medical residents would particularly benefit from a concise presentation of medical information in a standardized format that could be carried to patients' bedsides or charts to help these new practitioners apply their recently acquired knowledge to real cases and understand why patients with certain medical conditions are tested and treated in particular ways. (Paragraph 0008).

For at least the above reasons, the method of claim 1 is not taught or suggested by the computer steps of Campbell. Iliff discloses a computerized medical diagnostic system. Iliff is not cited for and does not make up for the deficiencies in Campbell.

Claims 7 and 32-34 depend from claim 1 and avoid the rejection for at least the same reasons as discussed above with respect to claim 1. Claims 7 and 32-34 recite additional steps not taught or suggested by Campbell and Iliff taken alone or in combination. For example, claim 32 recites the step of consulting the paper template for information prompting the user to conduct a differential diagnosis of the patient based on the information identifying other medical disorders that might be confused with the particular medical disorder. This follows from the claim 1 step of obtaining a paper template having information identifying other medical disorders that might be confused with the particular medical disorder of the preliminary diagnosis. As discussed in the above-quoted paragraph [0008] of applicant's disclosure, the computer based methods of Campbell and Iliff contain too much information or are too bulky, time-consuming, or awkward to be useful at a patient's bedside. The steps of claim 1 recite a simplified method not taught or suggested by Campbell and Iliff taken alone or in combination.

Claim 22 is directed to a set of paper templates, each paper template directed to a different medical disorder that has been preliminarily diagnosed and each provided with information as recited in claim 22. Campbell and Iliff taken alone or in combination do not teach or suggest a paper template. They do not teach or suggest a set of paper templates each directed to a different medical disorder and they do not teach or suggest the information recited in such templates as recited in claim 22. The subject matter of claim 22 taken as a whole is not taught or suggested by Campbell and Iliff taken alone or in combination. Claim 25 depends from claim 22 and avoids the rejection for at least the same reasons as discussed above with respect to claim 22. Additionally, claim 25 adds that each of the transparent templates is printed on paper encased in

transparent plastic. There is no teaching or suggestion in the prior art of record of a template printed on paper encased in transparent plastic.

For all of the above reasons, withdrawal of the rejection is respectfully requested.

The 35 U.S.C. 103(a) rejection of claims 1, 7, 22 and 25-27.

Claims 1, 7, 22 and 25-27 stand rejected under 35 U.S.C. §103 as unpatentable over Campbell et al. in view of Dahlin et al. (U.S. Patent Publication No. 2004/0078215) and Chin (U.S. Patent No. 6,632,042).

Dahlin discloses an electronic system that facilitates documenting medical findings of a physical examination (paragraph 0002). The office action states “Dahlin teaches an apparatus comprising: a set of templates (Figures 3-19)...” (office action, page 6). Fig. Nos. 3-19 in Dahlin, however, show “an exemplary graphical user interface of an electronic medical chart...” (see Brief Description Of The Drawings in Dahlin). As such, Dahlin does not teach or suggest the deficiencies noted above in Campbell, e.g., the subject matter as a whole of claim 1 and of claim 22, the claimed paper template, use of a paper template having only one sheet of paper and the specific claimed steps and structure of these claims. The office action concludes it would have been obvious to modify Campbell as taught by Dahlin to arrive at the claimed subject matter. However, the presently amended claims recite the step of entering hand written information onto the paper template (claim 1) and templates adapted for hand written information (claim 22). Such subject matter is neither taught nor suggested by Campbell and Dahlin, whether taken alone or in combination.

Chin is relied on for disclosure of a transparent plastic cover and the office action finds that it would have been obvious to modify Campbell and Dahlin by providing the transparent cover of Chin. For the reasons noted above, Campbell and Dahlin taken alone or in combination do not teach or suggest the subject matter as a whole or the specific steps and structure of the present claims. As discussed above, Campbell and Dahlin do not teach or suggest a paper template and thus it would not have been obvious to use Chin’s transparent cover with the computer systems and steps of Campbell and Dahlin.

For all of the above reasons, withdrawal of the rejection is respectfully requested.

New claims 36-45

New independent claim 36 is similar to claim 22, but recites a paper template rather than a set of templates. Claims 37-45 depend from claim 36 and recite additional features. Claims 37-45 avoid the prior art for much the same reasons as discussed above with respect to claim 22. Claims 41-43 add that the paper template is a single page with specific information as recited in these claims. The features of claims 37-45 are not taught or suggested by the prior art of record.

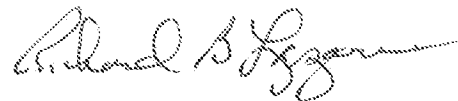
Conclusion of Argument

For the foregoing reasons, the applicant respectfully requests that the rejections of claims 1, 7, 22, 24-25 and 29-34 be withdrawn and the application with claims 1, 7, 22, 24-25, 29-34 and 36-45 be allowed.

It is respectfully requested that, if necessary to effect a timely response, this paper be considered as a Petition for an Extension of Time sufficient to effect a timely response and authorization to charge any required fee or credit any overpayment to Deposit Account No. 12-0913, held in the name of Barnes & Thornburg LLP, with reference to Attorney Docket No. 49605-109902.

Respectfully submitted,

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